New Hope for Aliens, P. 4

Good Teachers in Short Supply But New York Goes on Blacklisting Them, See Pages 2 and 3

I. F. Stone's Weekly

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What the Soviet ICBM Did to NATO

A great deal can be learned, if the American people take care to learn it, from the fiasco at Cape Canaveral. This was more, much more, than the mechanical failure of a new gadget. What exploded was the kind of military windbag leadership which this country has had for 10 years. The same type of mind which mishandled press relations, mechanical preparations and technological management at the Cape is the same type of mind which has been running our militaristic diplomacy. It has built up an illusion of such overwhelming supremacy that we needed only to push a button for the beetle-browed commanders of our SAC to zoom off under the movietone cameras and smash Russia to thermonuclear smithereens. The affair at the Cape was a moment of national humiliation. The same leadership and the same miscalculations, tested in war, could bring disaster. It is time to sober up.

As in 1929—The Resort to Mesmerism

There is little evidence, however, of sobriety. The same leadership continues. Essentially its faith is grounded on ballyhoo. As in the 1929 crash, the Republicans think all will be well if only they can restore "confidence" by some magic move or formula. If only Eisenhower can get to Paris and smile while the crowds hurrah, all will be remedied. There has been no real thinking and no real preparations at the upper levels of government. Even within the framework of NATO, the problems are formidable. If the coalition is to hold together, there must be some political coordination. But how does one coordinate French fears and Arab aspirations in Algeria? How does one reconcile Greek nationalist feeling, British strategic needs and Turkish anxiety on Cyprus? The fading glamor of an ailing President who never had any ability greater than a smart salesman's will not solve these problems. The approach, like the leadership itself, is phoney.

The shape of the real change, however, has yet to be assessed either by the Republicans or the Democrats; the latter seem to believe that thinking can be avoided by spending, that a boost in the budget will cure all national aches and pains. Both avoid, if indeed they have fathomed, the crucial change which the Soviet ICBM has brought about in the relations between Western Europe and the United States. This is fundamental.

Western Europe has been bypassed. Until now, there could have been no war between the U. S. and the U. S. S. R. which was not fought through and over Western Europe. Now a Soviet attack would be by 30-minute missiles over the Arctic; the Russians could afford neither the time nor the thermonuclear material for Western Europe. Each side would have to strike quickly at the bases and cities of the other. Western Europe would be drawn in only if there were bases there from which the U. S. S. R. was being attacked.

Loss of Nerve by Kennan?

In a message from BBC, London, which arrived after we went to press last week, we were informed that the eloquent passage against nuclear testing which we had reprinted in our issue of December 9 from the uncorrected advance text of George F. Kennan's fourth Reith lecture over the BBC on December 1 was not in the text as delivered. An attempt by cable to check this with Kennan brought only the reply that the text as delivered was being airmailed but this had not arrived as we went to press this week. We hope that Mr. Kennan will yet say what he was preparing to say and that having boldly challenged so many stereotypes of U. S. foreign policy, he will not falter at this one either.

The Roles Have Been Reversed

Until now Western Europe wanted American troops on its soil in order to protect itself against a new American isolationism in the event of war. It feared a European Korea in Germany and it wanted American troops in Germany to ensure American participation in the defense of West Germany. The fear was a double one—of Soviet aggression and American non-involvement. This enabled the U. S. to transform the Brussels pact into NATO and obtain forward bases in Europe. But the Soviet ICBM is the response of Russia to this adverse situation; it outflanks those bases and makes direct attack possible from Russia on the U. S. itself. In this situation, the roles have been reversed. U. S. bases in Western Europe *insure the U. S. against European isolationism.* So long as the bases are there, Western Europe cannot do a Switzerland and stand aside but must immediately be drawn in, for those bases will be used in retaliation for Russian attack or anticipation of it, or maybe in error.

It is the change of the strategic picture and the possibility of trigger-happy error which explains the chilled response in West Germany, in France and in Britain to the proposal for the establishment of thermonuclear intermediate range missile bases on their soil. Aside from the provocation to Russia, and the folly of talking so much about bases for missiles we do not yet possess, there is a growing realization that technological chance has made West European neutralism possible and that it may be wiser for West Europe to make its influence felt in separating the two great Powers than in establishing new bases which can only heighten tension and increase war's danger. This is the new idea which official propaganda hides but cannot suppress.

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One Way to Meet the Teacher Shortage—and to Teach the Purest Principles of Civics

A Proposal of Belated Justice to the Blacklisted Teachers of New York

In view of the teacher shortage, the science race with the Soviet Union and the growing national bad conscience about the Oppenheimer case, the *Weekly* suggests that a committee of public spirited citizens be formed in New York to review the cases of the teachers blacklisted for loyalty-security reasons in the schools of that city, to make a full report to the public and to recommend the reinstatement of all but those guilty of some actual misconduct as teachers.

We believe the time has come to crack the icecap which the cold war spread over the nation's schools and that New York City is the place to begin. We believe that action of this kind is called for not just on utilitarian grounds, because the shortage of teachers is acute, but for profounder reasons of education in the fundamentals of a free society.

Review, amends and reinstatement in America's greatest city would demonstrate to the world that we were recovering in a big way from McCarthyism and it would teach students by example that in preaching freedom of ideas we again meant what we preached. To talk of political freedom and then to blacklist teachers because of their political associations, real or suspected, was to teach a whole generation of children that our talk of democracy was hypocritical.

Above all, a change is called for because the New York City Board of Education, despite a ruling to the contrary by the State Commissioner of Education, is still fighting to apply the rule that a teacher suspected of communism can only prove his loyalty by informing on others. There could be no more revolting ethical lesson taught in the classrooms of New York.

What Is Subversive?

The dismissal of teachers for real or suspected political association, the insistence that they turn informer to save their own skins, are certainly subversive in the true sense of the word. In this sense the Boards of Education and of Higher Education have been a subversive influence in the school system of New York for close to a decade.

But obviously this is not what the Board of Education meant when in its "Feinberg Law" report this year it said 285 teachers had been severed from the school system since 1951 as a result of its investigations into "subversive activities." It is time an independent inquiry was made into this queasy wording.

How many were found guilty of "subversive activity"? What standard did the Board apply? How many were really discharged for "insubordination and conduct unbecoming a teacher" when they refused to answer questions about their own political beliefs and those of their associates? Is it true that the Feinberg law, bad as it is, has never really been applied but that the Board has fallen back on the easier route of discharge for "insubordination"?

Case No. 1

The first victim of the school witch hunt in New York City. Two days before the Christmas holiday in 1948 Superintendent of Schools Jansen sent Law Secretary Nicholas Bucci and Asst. Supt. John Conroy to question a 1-A teacher in Staten Island, Mrs. Minnie Gutride, about an allegedly subversive meeting she had attended in 1940. She was told that she would face trial for insubordination if she did not answer. A widow, who lived alone she went home and turned on the gas jets. Her body was found next morning among the Christmas toys she had prepared for her classroom.

Vindictive Witch Hunting Zeal

The New York City Board of Education has not acted with mere cowardly acquiescence in popular hysteria. On the contrary it has gone beyond the call of duty in vindictive zeal. Symptomatic is the case of the five teachers (three of them high school teachers of science) suspended in September, 1955, for refusing to inform. When the State Commissioner of Education ruled in July, 1956, that teachers need not be informers to prove their loyalty, the Board should have closed the case with that decision. Instead it appealed to the State Supreme Court, where the Commissioner was upheld, and is now appealing again. Do the people of New York really approve the expenditure of tax funds in these appeals, in so repugnant a cause?

Some of New York's best and most needed teachers are among those purged. Of the 350-or-so teachers who have lost their jobs (there are forced resignations not included in the published totals), about 75 were teachers of mathematics or science and about 75 were teachers in the so-called "difficult" and minority group schools (Negro and Puerto Rican). About 175 were elementary school teachers, some of them known as experts in the teaching of arithmetic and elementary science.

A public investigating committee will find, we believe, not one single instance where incompetent teaching, misuse of the classroom for indoctrination or any other violation of professional conduct was alleged much less proven. Instead these were, almost without exception, as the box below discloses, teachers of competence and integrity.

"Indeed Teachers of A High Order of Ability" — So Fire Them!

"The respondents adduced the testimony of a long succession of colleagues, supervisors, parents and former pupils, demonstrating their superior talents as teachers. It was demonstrated that these are teachers of long service and with records of conspicuously fine accomplishment, frequently under adverse circumstances.

"Your committee is satisfied that these are indeed teachers of a high order of ability . . . (I recommend) that (they) be removed forthwith as teachers in the employ of the Board of Education of the City of New York."

—Report of Col. Arthur Levitt, as a one man loyalty committee trial examiner, to the New York City Board of Education, Dec. 2, 1952 and requoted by him in a further report, April 8, 1954.

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Isn't It Time A Great City Like New York Made Amends for These Wasted Lives and Talents?

Case Studies in What the Witch Hunt Has Cost in Suffering and Schooling

Here are some glimpses, in cases provided at my request by the Teachers Union of New York, which show the inhumanity and stupidity of the witch hunt in the city schools:

Max Gilgoff: a teacher of French for 18 years, Phi Beta Kappa, highest ratings as teacher, questioned after he protested the killing of a Negro grocery clerk in Brooklyn by a policeman in 1951, denied past or present membership in the Communist party, died of a heart attack at 39 after a year of harassment by the Board of Education, leaving two small children and a pregnant wife.

Teacher A: Teacher of Social Studies for ten years when he made the mistake of joining Gilgoff in protesting the Fields murder (the Brooklyn DA called the failure of the Grand Jury to indict that policeman "a gross miscarriage of justice," *N. Y. Times,* June 22, 1951), termed "Qualified and Preferred" by the Citizens Union when he ran for public office in 1946 but the Board of Education began to harass him with the Fields case. He was subpoenaed by the McCarthy committee in 1953 and finally fired in 1954. Now a salesman.

Teacher B: A High School teacher for 28 and a half years. Wife and two children. Forced to resign. Already 53 years old, he found extreme difficulty in adjusting himself to new ways of making a living. Worked as a salesman, did some private school teaching, died two years later. Left family without any pension benefits since he got no credit for his 28 and a half years as a teacher.

Teacher C: One of the teachers fired for asserting the 5th amendment before the McCarran committee, after 29 and a half years of teaching—six months short of the requirement for a pension. Fired without severance pay, trial or hearing. Her husband was hounded by other government agencies, including the Immigration Bureau, and his death occurred a few years later under circumstances which made his friends suspect suicide.

Teacher D: Had been teaching 30 years in a junior high school, outstandingly successful in handling problem boys and problem classes, forced to retire from the school system at the age of 55, tried to retrain as bookkeeper, got a job at $45 a week. His wife, with two children, finally took a factory job. He cracked up and was committed to a state mental institution.

Some Wasted Science Talents

Teacher E: High school physics teacher for 23 years in academic and vocational schools. Preferred to resign in the spring of 1953 rather than "cooperate." Offered to complete his term for sake of the students. Offer rejected. Age and security regulations have made it impossible for him to find work as a physicist or physics teacher. Has worked intermittently in various factories as a semi-skilled machinist.

Teacher F: Another physics teacher, after 18 years of teaching in the high schools, forced out by the witch hunt, now an "idea man" for a manufacturer of toys and gadgets.

Teacher G: A dedicated teacher of mathematics for 20 years in all-Negro junior high school for boys, dismissed in 1952 for "insubordination," at present working as a salesman for a printing firm.

Teacher H: Resigned in 1953 under witch hunt pressure after 22 years as a teacher of physics and general science; works at semi-skilled jobs in the electrical industry.

Teacher I: Taught science 27 years in a junior high school attended mostly by Negro and Puerto Rican students, now sells flavorings and syrups for soda pop and bakery products.

And Perhaps Also in Increased Trust

"To carry out the task ahead, we will need more teachers in all fields, and to get them we will have to pay them their due in both dollars and prestige."

—U. S. Commissioner of Education Derthick, Richmond, Va., Dec. 5.

The Three "Won't Inform" Cases

Of the five teachers suspended without pay for refusing to inform in September, 1955, and still awaiting final disposition on appeal, three are science teachers.

Harry Adler, taught electronics for 20 years in a vocational high school, holder of the first regular license ever issued by the Board of Education in this subject, highly praised by his supervisors, offered a job by a suburban school board if he would drop his own case, refused to do so and is still unemployed. The New York school authorities have been unable to find a replacement for him, despite ads in three technical journals offering to accept a high school graduate with minimal electronics and no teaching experience.

Irving Mauer: Taught science for ten years, the last six in a Negro-Puerto Rican junior high, a one-time football and basketball star popular with his students in a most difficult school, has been supporting a wife and two children by self-employment as a TV repairman and technician.

Julius Nash: A high school teacher of biology, with 19 years experience, and an admittedly excellent record, unemployed for long periods after his suspension, now manager of a retail toy and juvenile furniture store, a 10-hour a day out of city job requiring 3 hours travel time each day.

One Happy Exception — Dr. Julius Hlavaty — The Only Teacher So Far Reinstated

Of all those caught in the witch hunt, the only one who has been reinstated is Dr. Julius Hlavaty, nationally famous in his field, chairman of the mathematics department of Bronx High School of Science when dismissed. He was subpoenaed by McCarthy in March 1953 because of a broadcast he made in his native Czech for the Voice of America about this model science high school. He was summarily dismissed in April, 1953, but a suit forced his reinstatement in April, 1956, after the Supreme Court's decision in the Slochower case.

Though the Bronx school has suffered by Dr. Hlavaty's dismissal [two of my own boys, who were in his classes, can attest his wonderfully inspiring quality—IFS], he was not restored to his old post but assigned to De Witt Clinton. During his three years out, Dr. Hlavaty managed to get along as a private tutor.

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The Supreme Court, 5-4, Rules Past Membership Must Be "Meaningful" for Banishment

The Rowoldt Decision Softens Our Savage Deportation Law

The 5-4 decision by the Supreme Court in the Rowoldt case will ease the conscience of Mr. Justice Frankfurter and the fate of a good many aliens. It is unsatisfactory as law and vague as logic, but it tempers with mercy the savage rule that an alien may be deported for past membership in the Communist party, without proof that he shared any unlawful purposes, and without evidence of participation in any illegal conduct.

Mr. Justice Frankfurter is himself responsible in part for that repugnant rule. Three and a half years ago, in the case of *Galvan v. Press* he wrote the decision upholding that provision of the Internal Security Act which made aliens deportable for past membership. The majority ruled that neither the ex post facto clause nor substantive due process protected aliens against deportation. Galvan, a poor Mexican so frightened that he offered to rejoin the party as an FBI informer, was deported.

During the Palmer Red Raids

The Galvan decision must have been a painful one for Mr. Justice Frankfurter. A generation earlier, during the Palmer Red raids after World War I, he and his then Harvard Law School colleague, Zechariah Chafee, had protested the illegal practices of the Justice Department and appeared as *amici curiae* on behalf of alien radicals before Federal Judge George W. Anderson in the famous case of *Colyer v. Skeffington.* That judge freed many of those arrested on the ground that the government had to prove more than nominal membership in radical organizations for deportation.

That ruling, by a peculiar route, has born fruit in the Rowoldt case. Senator McCarran in 1951 put forward amendments to his own Internal Security Act when it became clear that it would exclude or deport past members of Fascist and Nazi organizations and defectees from the Soviet bloc. The Senator cited *Colyer v. Skeffington* in contending that the past membership provisions should not be used against nominal members.

Mr. Justice Frankfurter discussed this in the Galvan case but without applying it. In the Rowoldt case, he has put it to use. Rowoldt, an alien in this country since 1914, admitted that for about a year in 1935 he was a member of the Communist party and worked in a Communist bookshop. Mr. Justice Frankfurter held that this was not "the kind of meaningful association" required by the McCarran amendments.

What Is A Meaningful Association?

Just what constitutes a meaningful association is not clear, nor how Galvan's was more meaningful than Rowoldt's. Within the framework of the statute, Mr. Justice Harlan's dissent (for himself, and Justices Burton, Clark and Whittaker) may make more sense the majority. But we may be grateful for small mercies, since there are quite a few cases pending in which aliens whose past association was not very meaningful may be saved.

From *Galvan* to *Rowoldt,* the change is not in the facts but in the atmosphere. The first past membership case under an earlier statute, *Harisiades v. Shaughnessy* was written by the late Mr. Justice Jackson in 1952 with cold war passion. Mr. Justice Douglas, dissenting then with Black, said this decision turned its back on "the principle of forgiveness and the doctrine of redemption." Again, in *Galvan,* he protested that if aliens were to be deported, it ought to be "for what they are and do, not for what they once believed."

These are the words posterity will prize, not the split hairs in *Rowoldt.* The evil is the doctrine that constitutional guarantees do not fully apply to deportation proceedings. This new decision nonetheless will help a few, and moves in a gentler direction.

5th Birthday Dinner

On Friday, January 17, the fifth anniversary of the Weekly, a group of readers in New York are giving IFS a 10-course Chinese banquet at the Port Arthur Restaurant, 7 and 9 Mott Streets, New York City's Chinatown. The dinner is limited to 200 and reservations will be made in order of receipt; they must be accompanied by check. The price is $3, the time is 7 p. m. Good time guaranteed.

Happy Holiday—The Weekly Is Not Published the Last Two Weeks in December—Next Issue January 6

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